

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appeal No. : 2006 2187
Appellant : George Y. Huang
Application No. : 10/642,413
Hearing Room : B
Hearing Docket : B
Hearing Date : Tuesday, October 17, 2006
Hearing Time : 09:00 AM
Location : Madison Building - East Wing
600 Dulany Street, 9th Floor
Alexandria, Virginia 22313-1450

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U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

REQUEST FOR POSTPONEMENT OF 10/17/06 HEARING

September 12, 2006

Mr. Roger Williams
Chief Office Administrator
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

VIA FAX (571) 273-0299

Dear Mr. Williams:

I received the September 1, 2006 Notice of Hearing in the above-identified appeal (copy attached). The Notice scheduled the hearing for Tuesday, October 17, 2006. As explained below, this date conflicts with a patent infringement trial scheduled to start the same day in Los Angeles, California. This communication is my request that the hearing be continued.

GROUND FOR REQUEST

1. The Conflict

I am the lead lawyer in a patent infringement case pending in the United States District Court for the Central District of California, Western Division (Los Angeles), *Mobile High-Tech Wheels v. CIA Wheel Group*, Case No. 2:04-cv-09514-RSWL-RZ. On June 21, 2006, the Court in that case scheduled trial for October 17, 2006. A copy of the Court's Order is attached. I am the lead lawyer in that case and there is no other lawyer familiar with the facts and legal issues involved in that case. It is not possible to ask another lawyer to step in without causing serious hardship to my client.

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2. No Other Lawyer is Available to Argue the Appeal

I am a solo practitioner and there is no other lawyer available to argue the appeal in this matter. Moreover, I have worked on this application from the beginning, over five years ago, and am familiar with all the facts and legal issues involved. It is not possible to ask another lawyer to step in without causing serious hardship to the Appellant.

3. Alternative Means


A telephonic or video conference will not solve the scheduling conflict, as I will be involved in the trial noted above and unable to participate in the hearing by telephonic or video conference.

Therefore, I respectfully request that the October 17, 2006 hearing be postponed.

In order to avoid other conflicts, please be advised that I currently have the following court dates calendared: September 18 and 19, 2006; September 29, 2006; January 22, 2007; February 22, 2007; March 5 and 9, 2007; June 25, 2007; and July 31, 2007.

If you have any questions, please do not hesitate to call.

Respectfully submitted,



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Attorney for Appellant-Applicant,
George Y. Huang